Attorney's Docket No.: 14072-024001 / W 602

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Scott H. Gillis et al.	Art Unit	: 1616
Serial No.	: 10/690,710	Examiner	: John D. Pak
Filed	: October 22, 2003	Conf. No.	: 9757
Title	: PROPHYLACTIC TREATMENT METHODS		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §§ 3.73(b) AND 1.321(b)

Pursuant to 37 C.F.R. § 3.73(b), NUCRYST PHARMACEUTICALS CORP., a a corporation, certifies that it is the assignee of the entire right, title, and interest in the above-referenced application by virtue of an assignment from the inventors of the above-referenced patent application. The assignment was recorded in the Patent and Trademark Office at Reel 014941, Frame 0025 on February 2, 2004, or a copy thereof is attached.

To the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above-referenced application subsequent to the expiration date of U.S. Patent No. 6,989,157 provided that any patent granted on the above-referenced application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,989,157.

The assignee identified above does not disclaim any terminal part of any patent granted on the above-referenced application prior to the expiration date of the full statutory term of U.S. Patent No. 6,989,157 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal

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Page : 2 of 2

Attorney's Docket No14072-024001 / W 602

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title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,989,157.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

Enclosed is a check for $130 for the required fee pursuant to 37 C.F.R. § 1.20(d). Please apply any other charges or credits to Deposit Account No. 06-1050.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NUCRYST PHARMACEUTICALS CORP.

Date: 6-19-07

S H Gillis

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